

Regular Session, 2010

HOUSE BILL NO. 1264

BY REPRESENTATIVE LAFONTA

CRIME: Creates the crime of criminal damage to historic buildings and landmarks by defacing with graffiti

1 AN ACT

2 To enact R.S. 14:56.5, relative to damage to property; to create the crime of criminal
3 damage to historic buildings and landmarks by defacing with graffiti; to provide for
4 penalties; to provide for definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:56.5 is hereby enacted to read as follows:

7 §56.5. Criminal damage to historic buildings or landmarks by defacing with graffiti

8 A. It shall be unlawful for any person to intentionally deface with graffiti any
9 historic building or landmark, whether publicly or privately owned, without the
10 consent of the owner.

11 B. As used in this Section, the following terms shall have the following
12 meanings:

13 (1) "Deface" or "defacing" is the damaging of any historic building or
14 landmark by means of painting, marking, scratching, drawing, or etching with
15 graffiti.

16 (2) "Graffiti" includes but is not limited to any sign, inscription, design,
17 drawing, diagram, etching, sketch, symbol, lettering, name, or marking placed upon
18 any historic building or landmark in such a manner and in such a location as to
19 deface the property and be visible to the general public.

1 (3) "Historic building or landmark" means any building or landmark
2 specifically designated as historically significant by the state historic preservation
3 office, historic preservation district commission, landmarks commission, the
4 planning or zoning commission of a governing authority, or by official action of a
5 local political subdivision.

6 C. Whoever commits the crime of criminal damage to historic buildings or
7 landmarks by defacing with graffiti shall be fined not more than one thousand dollars
8 and shall be imprisoned, with or without hard labor, for not more than two years. At
9 least one year of the sentence imposed shall be served without benefit of parole,
10 probation, or suspension of sentence.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

LaFonta

HB No. 1264

Abstract: Creates the crime of criminal damage to historic buildings and landmarks by defacing with graffiti.

Proposed law creates the crime of criminal damage to historic buildings or landmarks by defacing with graffiti.

Proposed law defines "deface", "defacing", "graffiti", and "historic building or landmark".

Proposed law provides penalties including a fine of not more than \$1,000 and imprisonment with or without hard labor for not more than two years. At least one year of the sentence imposed shall be served without benefit of parole, probation, or suspension.

(Adds R.S. 14:56.5)